IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.23957-M of 2005

DATE OF DECISION:07.12.2006

Ram Phal .....Petitioner

Versus

State of Haryana & Anr. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri DR Bansal, Advocate
for the petitioner.

Shri SS Mor, Sr. DAG, Haryana.

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The petitioner filed a complaint levelling allegations against three persons to the effect that they had abused the complainant-petitioner by name of his Caste. The said compliant was found to be false and thereafter the police submitted Calendra under Section 182 IPC and in the said Calendra charge has been framed. The petitioner has filed a revision against the order of charge and the same has also been dismissed by the Additional Sessions Judge, Jind vide order dated 1.3.2005 by observing as under:-

> “In this case the investigation was conducted by the police and after proper investigation the police came to the conclusion that it was a false case and naturally in that eventuality the proceedings under Section 182 IPC were to be initiated against him. The accused revisionist thus has been rightly charge-sheeted under Section 182 IPC by the learned Magistrate and I find no illegality, irregularity in the impugned order. Hence the present revision petition has no merit and the same is hereby dismissed”.

Since the revision has already been dismissed, therefore, I di not find any ground to entertain this petition under Section 482 Cr.P.C. for setting aside the said order as it amounts to entertaining a second petition. The petitioner has also prayed for quashing of the Calendra on the ground that the Investigating Officer was not competent to investigate the matter. Since charge has been framed by the revisional Court, therefore, I do not find any ground to quash the Calendra.

Dismissed.

December 07, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**